

**REMARKS**

Claims 1-6 are pending in the present Application. Applicant has amended claims 1, 3, 4, 5, and 6. Applicant has canceled claim 2 and added claims 7-12. Consequently, claims 1 and 3-12 remain pending in the present Application.

Applicant has amended claim 1 to incorporate some of the limitations of claim 2. Applicant has also amended claim 1 to remove the at least one jewelry strand as an element of the closure. Applicant respectfully submits that the removal of this limitation does not narrow the scope of claim 1. Applicant has amended claims 3-6 to correct an error, substituting “closure” for “system” and to harmonize the claims with claim 1. Applicant respectfully submits that the amendments to claims 3-6 do not narrow the scope of claims 3-6. Applicant has also added claims 7-12. Support for the new claims can be found in the specification, page 6, line 7-page 7, line 3.

In the above-identified Office Action, the Examiner rejected claims 1-6 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner also rejected claims 1, 4, and 5 under 35 U.S.C. § 102 as being anticipated by U. S. Patent No. 5,669,242 (Cayton). The Examiner also rejected claims 2, 3, and 6 under 35 U.S.C. § 103 as being obvious in light of Cayton.

In the above-identified Office Action, the Examiner rejected claims 1-6 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner noted the use of the term “system” in lieu of “closure”, the use of “at least one strand” and minor grammatical errors.

Applicant has corrected claims 3-6 to recite a “closure”, as well as to correct grammatical errors. Applicant has also amended claim 1 to recite “the at least one strand” in line 3.

Accordingly, Applicant respectfully submits that claims 1 and 2-6 are clear and definite.

The Examiner also rejected claims 1, 4, and 5 under 35 U.S.C. § 102 as being anticipated by Cayton.

Applicant respectfully traverses the Examiner's rejection. Claim 1 recites a closure for customizing jewelry including at least one jewelry strand. The closure recited in claim 1 includes a plurality of clasps for attaching to the jewelry strand(s) and a plurality of links. The plurality of clasps includes a first clasp, a second clasp, and a third clasp. The second and third clasps are coupled together. The first clasp and the plurality links are coupled together. The first clasp and second clasp are reusable. The first clasp attaches to a first side of the jewelry strand(s), while the second clasp attaches to a second side of the jewelry strand(s). The third clasp is for attaching for attaching to the plurality of links. Thus, interchangeability of the at least jewelry one strand is allowed.

Thus, the closure recited in claim 1 can be used for a necklace or other jewelry piece. Because at least the first and second clasps are reusable, the jewelry strand(s) connected can be altered and customized. Specification, page 7, lines 4-6. In particular, the number, color, and length of the jewelry strand(s) in the jewelry piece can be customized. Ibid. Furthermore, the use of the plurality of links allows the length of the entire jewelry piece (in addition to the lengths of the individual strands) to be customized. Thus, a user can rapidly and easily customize the jewelry piece. Consequently, a relatively few number of jewelry strands can be made much more flexible and adaptable.

In contrast, Cayton describes a "necklace accessory" having exactly two specialized hooks connected by a chain. Cayton, Abstract and Fig. 1. The necklace accessory of Cayton is to be used with a separable necklace having a clasp or a necklace that is a continuous piece. For a necklace having a clasp Cayton indicates that a hook is to attach to each portion of the clasp. For example,

one clasp has a safety clasp and ring shaped link. One hook of Cayton couples to the safety clasp, and the other to the ring shaped link. Cayton, Fig. 1. Thus, each portion of the clasp is used solely as a link. For a necklace that is continuous, a portion of the necklace is draped into the hooks of Cayton. Cayton, Fig. 2. In describing the prior art, Cayton specifically describes the drawbacks of other types of clasps. Cayton, col. 1, line 10-col. 2, line 7. For example, Cayton indicates that a spring loaded clasp is difficult to use and can produce injury. Cayton, col. 1, lines 47-65.

Thus, Cayton describes a necklace accessory having exactly two hooks, each of which is to be coupled to each end of a pre-existing necklace. Using the necklace accessory of Cayton, the length of the pre-existing necklace can be changed by a predetermined amount. In particular, the length of the necklace can be extended by the length of the necklace accessory of Cayton. However, Applicant can find no mention in Cayton of using a combination of three clasps as recited in claim 1. In particular, Applicant can find no indication in Cayton that a third clasp would be useful or desirable. Furthermore, even if it is assumed that Cayton teaches or suggests three clasps (a proposition to which Applicant disagrees), Cayton does not teach or suggest a particular arrangement of the clasps. More specifically, Applicant can find no indication in Cayton that the three clasps and the plurality of links should be arranged as recited in claim 1. For example, Applicant can find no mention in Cayton of coupling the first clasp to a plurality of links and coupling the second clasp to the third clasp. Applicant can also find no mention of allowing the first and second clasps to be attached to the jewelry strand(s), then allowing the third clasp to be attached to the links. Thus, necklace accessory of Cayton cannot customize the length of the jewelry piece in the manner of the recited closure. Instead, the necklace accessory of Cayton is complete as is and is apparently intended to be used only in the manner described by Cayton. Cayton, therefore, does not teach or suggest the use of three clasps and a plurality of links arranged as recited in claim 1.

Furthermore, Cayton teaches away from the closure recited in claim 1. Claim 1, as well as claims 3-12, allow for “reusable” clasps as opposed to the specialized hooks of Cayton. As discussed above, Cayton specifically teaches that the use of other reusable clasps, such as spring-loaded clasps, with necklaces is undesirable. Thus, Cayton teaches the disadvantages of using one or more “reusable” clasps. Cayton, therefore, teaches away from the first, second, and third clasps recited in claim 1. In addition, Cayton teaches that the necklace accessory of Cayton is to be used with a pre-existing necklace that either already has a clasp or that is continuous. This is in contrast to the “closure” of claim 1 which can be used with jewelry strands. These jewelry strand(s) need not already formable into a necklace. Stated differently, the closure recited in claim 1 can be used as the clasp for the jewelry strand(s) that are neither continuous nor separable because of the existence of clasp. Instead, the closure recited claim 1 could be used in lieu of a clasp. For example, the closure recited in claim 1 might replace the clasp having portions 16 and 18 in Fig. 1 of Cayton. Consequently, Cayton teaches away from the closure recited in claim 1.

For the above-identified reasons, Cayton fails to teach or suggest the closure recited in claim 1. Accordingly, Applicant respectfully submits that claim 1 is allowable over the cited references.

Claims 4 and 5 depend upon independent claim 1. Consequently, the arguments herein apply with full force to claims 4-5. Accordingly, Applicant respectfully submits that claims 4-5 are allowable over the cited references.

The Examiner rejected claims 2, 3, and 6 under 35 U.S.C. § 103 as being obvious in light of Cayton.

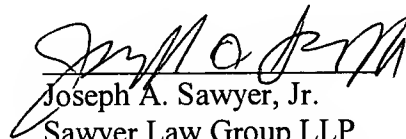
Applicant respectfully traverses the rejection. Claims 3 and 6 depend upon independent claim 1. Consequently, the arguments herein apply with full force to claims 3 and 6. Accordingly, Applicant respectfully submits that claims 3 and 6 are allowable over the cited references.

New claims 7-12 are allowable over the cited references. Claims 7 and 12 recite methods that are analogous to claim 1. Claims 8-11 depend upon independent claim 7. Consequently, the arguments herein apply with full force to claims 7-12. Accordingly, Applicant respectfully submits that claims 7-12 are allowable over the cited references.

Accordingly, for the above-mentioned reasons, Applicant respectfully submits that the claims are allowable over the cited reference. Consequently, Applicant respectfully requests reconsideration and allowance of the claims as currently presented.

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issue remain, the Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,



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